

UNITED STATES GOVERNMENT

Memorandum

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OFFICE OF THE
ATTORNEY GENERAL
NOV 2 1976

TO : The Attorney General

DATE: NOV 2 1976

R.L.K.
FROM : Robert L. Keuch

RLK:mal

Deputy Assistant Attorney General
Criminal Division

SUBJECT:
Letelier Investigation

On the basis of information developed during this investigation, you have recommended that the Central Intelligence Agency be tasked with a foreign intelligence and counterintelligence investigation to determine whether or not foreign powers and/or their agents were responsible for a series of violent activities which had been directed at persons in the United States and elsewhere, possibly including the killing of Letelier. Your recommendation has been endorsed by the National Security Council through Brent Scowcroft, National Security Advisor to the President.

Representatives of the CIA's Office of General Counsel have informed me that the Agency is interpreting your letter as a restriction on their intelligence investigation. Specifically the Agency is taking the view that if their investigation may involve information that United States persons are involved rather than foreign powers or their agents, that such information may not be developed or compiled even though United States persons are located abroad or the sources of the information concerning such United States persons are located abroad. It would seem logical that an investigation undertaken to determine whether or not foreign powers and/or their agents were responsible for a given activity could include the following up of any leads that indicated that in fact United States persons may be responsible rather than foreign powers and/or their agents. This is providing, of course, that the investigation is otherwise consistent with the restraints of the Executive Order and the appropriate guidelines.

Since the Agency is taking a very restrictive view of the limits of their investigation, I have drafted the attached

cc: OLC



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clarifying letter from you to DCI and would recommend that it be sent.

Attachment

Nim disagrees
CIA should not
follow a lead where
it is clear that ~~it~~
there is no foreign
involvement only because
it disproves that for any
such involvement. Last
sentence too cite.